

COUNTY OF

INDEX #: 08CV00301

Date Filed: _____

UNITED STATES DISTRICT COURT

DISTRICT: SOUTHERN/NY

Joy Maccharulo & Dolores Kucharczyk, Co-Administratrix of the Estate of Frank Kucharczyk, deceased

vs

Plaintiff(s)/Petitioner(s)

Glenn Gould, Commissioner of the New York State Department of Correctional Services; et al

Defendant(s)/Respondent(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK, COUNTY OF ALBANY, SS.:

Stephen L. Collen, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On April 8, 2008 at 2:35pm, at NYS Dept of Correctional Services, Bldg. 2, 1220 Washington Ave, Albany, NY, deponent served the within Summons in a Civil Action and Amended Complaint

on: Brian Fisher, Defendant therein named.

- ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.
- ☐ By delivering thereat a true copy of each to _____ personally, deponent knew said business/agency so served to be the business/agency described in same as said defendant and knew said individual to be the managing/authorized agent of the business/agency, and said person stated that he/she was authorized to accept service on behalf of the business/agency.
- ☒ By delivering a true copy of each to Herman Rheinhold, co worker and Sr. Attorney a person of suitable age and discretion. Said premises is defendant's: ☒ actual place of business ☐ dwelling house (usual place of abode) within the state.
- ☐ By affixing a true copy of each to the door of said premises, which is defendant's: ☐ actual place of business ☐ dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion, having called thereat

on the _____ day of _____ at _____
 on the _____ day of _____ at _____
 on the _____ day of _____ at _____
 on the _____ day of _____ at _____

Address confirmed by _____

- ☐ On _____, deponent completed service by depositing a true copy of each to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.

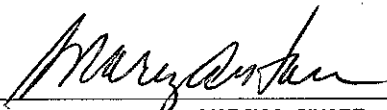
A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Sex: Male Color of skin: White Color of hair: Brown Age: 40 - 49 Yrs. Height: Over 6'
 Weight: Over 200 Lbs. Other Features: _____

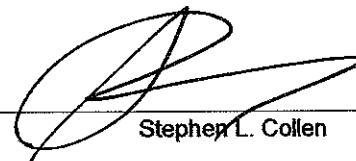
- ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the witness.

Deponent asked person spoken to whether the defendant is presently in military service of the United States Government or of the State of New York and was informed that defendant is not.

Sworn to before me on April 10, 2008



MARCY A. O'HARE
 NOTARY PUBLIC, State of New York
 No. 4865530, Qualified in Albany County
 Term Expires July 14, 2010



Stephen L. Collen

Invoice-Work Order # 0802952



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: SUMMONS, AMENDED COMPLAINT
 EFFECTED (1) BY ME: OUT OF STATE
 TITLE: PROCESS SERVER

DATE: 4/8/2008

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

GLENN S GOORD

Place where served:

4/8/08 @ 5:08pm
 Driveway / Sitting in car.
 10855 SW Candlewood Road
 Port St Lucie, FL 34987

[] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: M AGE: 50's HEIGHT: Unknown WEIGHT: 175 lbs. SKIN: white HAIR: Salt & pepper OTHER: no glasses

[X] To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

not in military

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4/8/2008

Thomas A. Masley L.S.
 SIGNATURE OF OUT OF STATE
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

PS 04-01

ATTORNEY: JENNIFER BONJEAN, ESQ
 PLAINTIFF: JOY MACCHARULO, ET AL
 DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
 VENUE: DISTRICT OF NEW YORK
 DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

TZ

COUNTY OF

INDEX #: 08CV00301

UNITED STATES DISTRICT COURT

Date Filed:

DISTRICT: SOUTHERN/NY

Joy Maccharulo & Dolores Kucharczyk, Co-Administratrix of the Estate of Frank Kucharczyk, deceased

Plaintiff(s)/Petitioner(s)

vs

Glenn Gould, Commissioner of the New York State Department of Correctional Services; et al

Defendant(s)/Respondent(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK, COUNTY OF ALBANY, SS.:

Stephen L. Collen, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On April 8, 2008 at 3:45pm, at NYS Office of Mental Health, 44 Holland Ave, Albany, NY 12229, deponent served the within Summons in a Civil Action and Amended Complaint

on: Michael F. Hogan, Commissioner, Defendant therein named.

☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

☐ By delivering thereat a true copy of each to _____ personally, deponent knew said business/agency so served to be the business/agency described in same as said defendant and knew said individual to be the managing/authorized agent of the business/agency, and said person stated that he/she was authorized to accept service on behalf of the business/agency.

☒ By delivering a true copy of each to Peter Durfee, counsel a person of suitable age and discretion. Said premises is defendant's: ☒ actual place of business ☐ dwelling house (usual place of abode) within the state.

☐ By affixing a true copy of each to the door of said premises, which is defendant's: ☐ actual place of business ☐ dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion, having called thereat

on the _____ day of _____ at _____
 on the _____ day of _____ at _____
 on the _____ day of _____ at _____
 on the _____ day of _____ at _____

Address confirmed by _____

☐ On _____, deponent completed service by depositing a true copy of each to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.

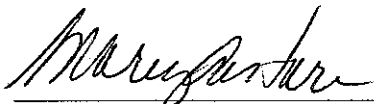
A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Sex: Male Color of skin: White Color of hair: Brown/Gray Age: 50 - 59 Yrs. Height: 5' 0" - 5' 3"
 Weight: 161 - 200 Lbs. Other Features: Glasses, balding

☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the witness.

Deponent asked person spoken to whether the defendant is presently in military service of the United States Government or of the State of New York and was informed that defendant is not.

Sworn to before me on April 10, 2008



MARCY A. O'HARE

NOTARY PUBLIC, State of New York
 No. 4865530, Qualified in Albany County
 Term Expires July 14, 2010



Stephen L. Collen

Invoice/Work Order # 0862949

COUNTY OF

INDEX #: 08CV00301

UNITED STATES DISTRICT COURT

Date Filed:

DISTRICT: SOUTHERN/NY

Joy Maccharulo & Dolores Kucharczyk, Co-Administratrix of the Estate of Frank Kucharczyk, deceased

Plaintiff(s)/Petitioner(s)

vs

Glenn Gould, Commissioner of the New York State Department of Correctional Services; et al

Defendant(s)/Respondent(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK, COUNTY OF ALBANY, SS.:

Stephen L. Collen, being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides in New York State. On April 8, 2008 at 3:45pm, at NYS Office of Mental Health, 44 Holland Ave, Albany, NY 12229, deponent served the within Summons in a Civil Action and Amended Complaint

on: Donald Sawyer, Defendant therein named.

- ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.
- ☐ By delivering thereat a true copy of each to personally, deponent knew said business/agency so served to be the business/agency described in same as said defendant and knew said individual to be the managing/authorized agent of the business/agency, and said person stated that he/she was authorized to accept service on behalf of the business/agency.
- ☒ By delivering a true copy of each to Peter Durfee, counsel a person of suitable age and discretion. Said premises is defendant's: ☒ actual place of business ☐ dwelling house (usual place of abode) within the state.
- ☐ By affixing a true copy of each to the door of said premises, which is defendant's: ☐ actual place of business ☐ dwelling house (place of abode) within the state.

Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion, having called thereat

on the _____ day of _____ at _____
 on the _____ day of _____ at _____
 on the _____ day of _____ at _____
 on the _____ day of _____ at _____

Address confirmed by _____

- ☐ On _____, deponent completed service by depositing a true copy of each to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York.

A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:

Sex: Male Color of skin: White Color of hair: Brown/Gray Age: 50 - 59 Yrs. Height: 5' 0" - 5' 3"
 Weight: 161 - 200 Lbs. Other Features: Glasses, balding

- ☐ the authorized witness fee and / or traveling expenses were paid (tendered) to the witness.

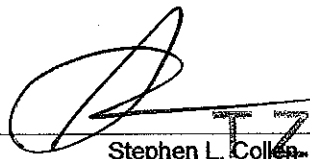
Deponent asked person spoken to whether the defendant is presently in military service of the United States Government or of the State of New York and was informed that defendant is not.

Sworn to before me on April 10, 2008



MARCY A. O'HARE

NOTARY PUBLIC, State of New York
 No. 4865530, Qualified in Albany County
 Term Expires July 14, 2010



Stephen L. Collen

Invoice/Work Order # 0802951



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE: 04/11/2008 12:00AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:WILLIAM MAZZUCA C/O DOTTIE SECRETARY

Place where served:

238 Main Street, Cold Spring, NY -☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant: _____

Description of person accepting service:

SEX: F AGE: 55 HEIGHT: 5'5" WEIGHT: 140 SKIN: white HAIR: Blond OTHER: Glasses☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4 / 11 / 2008

Don Atchey L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE: 04/21/2008 12:00AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:

JOHN BURGE

Place where served:

42 Roricks Glen Parkway, Elmira, New York 14905

☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Dorothy Burge

Relationship to defendant:

Description of person accepting service:

SEX: F AGE: 50-64 HEIGHT: 5'4"-5'8" WEIGHT: 130-159 lbs SKIN: white HAIR: Gray OTHER:

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

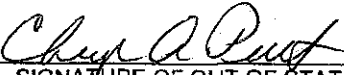
SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4 / 30 / 2008

 L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE:

4-11-08

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

WILLIAM R PHILLIPS

Place where served:

176 RUSHMORE RD. STORMVILLE N.Y. 12582
HIS HOME

[] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: M AGE: 65 HEIGHT: 5'6" WEIGHT: 160" SKIN: W HAIR: GRAY OTHER: _____☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4/11/08

Dan Hieber L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET AL
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

TZ



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE: 04/10/2008 09:05AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

JEFFREY COLELLA

Place where served:

3369 Melrose Road, Auburn, New York 13021

[] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: M AGE: 35-49 HEIGHT: over 6' WEIGHT: 200-220 lbs SKIN: white HAIR: Black OTHER: _____☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4/12/2008

Cheryl A. Quist L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE: 04/09/2008 10:23AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:

GARY HERMAN C/O SHERI QUINN, IRC II

Place where served:

Auburn Correctional Facility, 135 State Street, Auburn, NY 13021☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant: _____

Description of person accepting service:

SEX: F AGE: 35-49 HEIGHT: 5'0"-5'3" WEIGHT: 130-159 lbs SKIN: white HAIR: Black OTHER: Glasses☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4/12/2008

Cheryl A. Quitt L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE: 04/09/2008 10:23AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

THOMAS MILLER C/O SHERI QUINN, IRC II

Place where served:

Auburn Correctional Facility, 135 State Street, Auburn, NY 13021

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant: _____

Description of person accepting service:

SEX: F AGE: 35-49 HEIGHT: 5'0"-5'3" WEIGHT: 130-159 lbs SKIN: White HAIR: Black OTHER: Glasses☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4/30/2008

Cheryl A. Quitt L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE: 04/10/2008 12:00AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

MITCHELL LANGBART, MD

Place where served:

146 North Street, Auburn New York 13021

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: M AGE: 40-50 HEIGHT: 5'4"-5'8" WEIGHT: 160-199 lbs SKIN: white HAIR: Black OTHER: Glasses, Balding

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4/30/2008

Cheryl A. Quist L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE: 04/09/2008 10:23AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:

JOHN HENDERSON C/O SHERI QUINN, IRC II

Place where served:

Auburn Correctional Facility, 135 State Street, Auburn, NY 13021☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant: _____

Description of person accepting service:

SEX: F AGE: 35-49 HEIGHT: 5'0"-5'3" WEIGHT: 130-159 lbs SKIN: white HAIR: Black OTHER: Glasses☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4/30/2008

Cheryl A. Puff L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



20080407173021

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE: 04/09/2008 10:38AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

OR KAMI OR KARRI C/O STEVE ROBERTS, AUTHORIZED AGENT

Place where served:

Fishkill Correctional Facility, Prospect Street, Beacon, NY 12508

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: M AGE: 33 HEIGHT: 5'7" WEIGHT: 180-200 lbs SKIN: White HAIR: Brown OTHER: Glasses

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

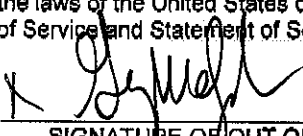
SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 5/14/2008


L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 10/93) Summons In a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE: 04/09/2008 10:38AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:

ROBERT RIZZO C/O STEVE ROBERTS, AUTHORIZED AGENT

Place where served:

Fishkill Correctional Facility, Prospect Street, Beacon, NY 12508☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: M AGE: 53 HEIGHT: 5'7" WEIGHT: 180-200 LBS SKIN: white HAIR: Brown OTHER: Glasses☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

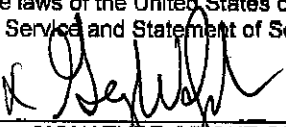
SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4/9/2008


L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: Mark McCumber
TITLE: Process Server

DATE: April 14, 2008
(2:49 p.m.)

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

OSCAR KLEIN

Place where served:

59 Traver Road, Pleasant Valley, NY 12569

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant: _____

Description of person accepting service:

SEX: M AGE: 70 HEIGHT: 5/4-5/6 WEIGHT: 130-140 SKIN: White HAIR: Gray OTHER: Glasses _____

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

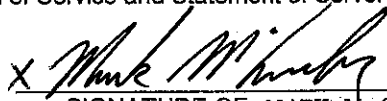
SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 04 / 16 / 20 08

X  L.S.
SIGNATURE OF MARK McCUMBER
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

RR



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
 EFFECTED (1) BY ME: **OUT OF STATE**
 TITLE: **PROCESS SERVER**

DATE: 04/09/2009 10:38AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

J VITO C/O STEVE ROBERTS, AUTHORIZED AGENT

Place where served:

Fishkill Correctional Facility, Prospect Street, Beacon, NY 12508

[] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: M AGE: 53 HEIGHT: 5'7" WEIGHT: 180-200 lbs SKIN: white HAIR: Brown OTHER: Glasses

[X] To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

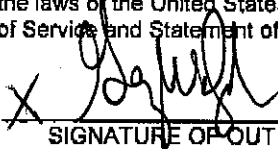
SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4/9/2008


 X _____ L.S.
 SIGNATURE OF OUT OF STATE
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
 PLAINTIFF: JOY MACCHARULO, ET AL
 DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
 VENUE: DISTRICT OF NEW YORK
 DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE: 04/09/2008 ~~12:00AM~~ 10:38AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

CORRECTIONAL OFFICER CHURNS (0529) C/O STEVE ROBERTS, AUTHORIZED AGENT

Place where served:

Fishkill Correctional Facility, Prospect Street, Beacon, NY 12508

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: M AGE: 53 HEIGHT: 5'7" WEIGHT: 180-200 lbs SKIN: White HAIR: Brown OTHER: Glasses

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

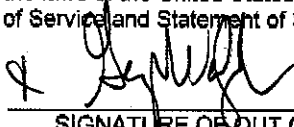
SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4/23/2008


L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECT ONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



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AO 440 (Rev. 10/93) Summons In a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE: 04/09/2008 ~~4:25PM~~ 10:38AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

CORRECTIONAL OFFICER CROCE C/O STEVE ROBERTS, AUTHORIZED AGENT

Place where served:

Fishkill Correctional Facility, Prospect Street, Beacon, NY 12508

[] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant: _____

Description of person accepting service:

SEX: M AGE: 53 HEIGHT: 5'7" WEIGHT: 180-200 lbs SKIN: white HAIR: Brown OTHER: Glasses

[X] To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4/23/2008

L.S.

SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECT ONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **GEORGE WALCZAK**
TITLE: **PROCESS SERVER**

DATE:

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

CORRECTIONAL OFFICER ROBERTS a/k/a DEPUTY SUPERINTENDENT OF ADMINISTRATION STEPHEN ROBERTS

Place where served:

Fishkill Correctional Facility, Prospect Street, Beacon, NY 12508

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: M AGE: 53 HEIGHT: 5' 7" WEIGHT: 180-200 SKIN: White HAIR: Brown OTHER: Glasses☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

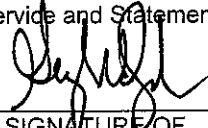
SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4 / 11 / 20 08



SIGNATURE OF GEORGE WALCZAK
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

R R



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
 EFFECTED (1) BY ME: **OUT OF STATE**
 TITLE: **PROCESS SERVER**

DATE: 04/09/2008 ~~4:00 PM~~ 9:00 AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:

NURSE FRED BELANGER C/O MARY SPRINGETT, AUTHORIZED AGENT

Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: ~~M~~ F AGE: 54 HEIGHT: 5'6" WEIGHT: 160-180 lbs SKIN: White HAIR: Brown w/ highlights OTHER: _____

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

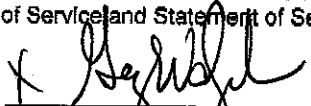
STATEMENT OF SERVER

TRAVEL \$ _____ SERVICES \$ _____ TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 5 / 14 / 2008


 L.S.
 SIGNATURE OF OUT OF STATE
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
 PLAINTIFF: JOY MACCHARULO, ET AL
 DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
 VENUE: DISTRICT OF NEW YORK
 DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SUMMONS, AMENDED COMPLAINT**
EFFECTED (1) BY ME: **OUT OF STATE**
TITLE: **PROCESS SERVER**

DATE: 04/21/2008 12:00AM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

NURSE SARA MUETZEL A/K/A SARA CARLSON

Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: F AGE: 40-50 HEIGHT: 5'5" WEIGHT: 140 LBS SKIN: White HAIR: Brown OTHER: _____☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 4 / 21 / 2008

L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: JENNIFER BONJEAN, ESQ
PLAINTIFF: JOY MACCHARULO, ET AL
DEFENDANT: GLENN GOULD, COMMISSIONER OF NY STATE DEPT OF CORRECTIONAL SERVICES, ET ALS
VENUE: DISTRICT OF NEW YORK
DOCKET: 08 CV 00301

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.